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37 C.F.R. 1.6 sets forth the types of correspondence that can be communicated to the Patent and Trademark Office via facsimile transmissions. Applicants are advised to use the certificate of facsimile transmission procedures when submitting a reply to a non-final or final Office action by facsimile (37 CFR 1.8(a)).

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KBR:kbr 3382-51187-01 339483.doc 12/27/04

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**KLARQUIST SPARKMAN, LLP**

16th Floor World Trade Center, 121 S.W. Salmon Street, Portland, Oregon 97204 U.S.A.

PHONE: 503-595-5300 FAX: 503-228-9446

**PLEASE DELIVER DIRECTLY TO EXAMINER HARESH N. PATEL****Fax No.:** (571) 273-3973**Total No. Pages:** 11, including this cover sheet**Message:** Transmitted herewith for filing in the below-identified application is a Claim Set for Examiner's Amendment. If you do not receive all pages or if you have problems receiving transmittal, please call Kyle B. Rinehart at (503) 595-5300. The fee (large entity) has been calculated as shown below.**In re application of:** Galen C. Hunt**Application No.** 09/197,080**Filed:** November 20, 1998**Confirmation No.** 9889**For:** NETWORK-INDEPENDENT PROFILING OF  
APPLICATIONS FOR AUTOMATIC  
PARTITIONING AND DISTRIBUTION IN A  
DISTRIBUTED COMPUTING  
ENVIRONMENT (AS AMENDED)**Examiner:** Hareesh Patel**Art Unit:** 2154**Attorney Reference No.** 3382-51187-01**CERTIFICATE OF FACSIMILE**


I hereby certify that this paper and the documents referred to as being attached or enclosed herewith are being facsimile transmitted to fax number (571) 273-3973 on the date shown below.

Attorney  
for Applicant(s)Date Transmitted December 27, 2004**FEE CALCULATION FOR CLAIMS AS AMENDED**

For	No. after amendment	No. paid for previously	Extra	Rate	Fee
Total Claims	42	- 60*	= 0	\$50.00	\$ 0.00
Indep. Claims	3	- 5**	= 0	\$200.00	\$ 0.00
Three-month Extension of Time (1 month = \$120.00 2 months = \$450.00 3 months = 1,020.00)					\$1,020.00
<b>TOTAL FEE</b>					<b>\$1,020.00</b>

\*greater of twenty or number for which fee has been paid. \*\*greater of three or number for which fee has been paid.

- ☒ Applicant petitions for an extension of time for three months, as indicated above. If an additional extension of time is required please consider this a petition therefor.
- ☒ Please charge \$910.00 for the three-month extension fee and any additional fees that may be required in connection with the making of these Examiner's amendments to Deposit Account 02-4550. (Applicant petitioned and was charged \$110.00 for a one-month extension of time in connection with the filing of an Amendment on October 21, 2004. The three-month extension fee of \$1,020.00 should be reduced by the previously paid one-month extension fee.)

  
 Kyle B. Rinehart  
 Registration No. 47,027
December 27, 2004

Date

cc: Docketing

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DEC 28 2004

KBR:kbr 12/27/04 339263  
PATENT

Attorney Reference Number 3382-51187-01  
Application Number 09/197,080

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Galen C. Hunt

Application No. 09/197,080

Filed: November 20, 1998

Confirmation No. 9889

For: NETWORK-INDEPENDENT PROFILING  
OF APPLICATIONS FOR AUTOMATIC  
PARTITIONING AND DISTRIBUTION IN  
A DISTRIBUTED COMPUTING  
ENVIRONMENT (AS AMENDED)

Examiner: Haresh Patel

Art Unit: 2154

Attorney Reference No. 3382-51187-01

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below.

Attorney  
for Applicant(s)

Date Transmitted December 27, 2004

**CLAIM SET FOR EXAMINER'S AMENDMENT**

By Examiner's amendment, please amend the referenced application as follows:

**Amendments to the Claims** are reflected in the listing of claims, which begins on page 2.

**Remarks** begin on page 10.